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# North Carolina Farmworker Council

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**Annual Report to the Governor  
and the  
General Assembly of North Carolina**

February 1989



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# North Carolina Farmworker Council

Annual Report to the Governor  
and the  
General Assembly of North Carolina

February 1989

State of North Carolina



James G. Martin, Governor





## North Carolina Farmworker Council

Administration Building, Room 535 • 116 West Jones Street • Raleigh, North Carolina 27611 • Telephone 919/733-4131

February 1, 1989

### To the Governor and General Assembly of North Carolina:

The North Carolina Farmworker Council was established pursuant to G.S. 143 B-426.25. The council studies and evaluates the existing system of services to farmworkers and recommends legislative action to improve the living and working conditions of farmworkers. This report outlines recommendations pertaining to issues addressed by the council in the performance of its duties during 1988.

We request your support of these recommendations.

Respectfully submitted,

A handwritten signature in black ink that reads "Bob Everett".

Bob Everett  
Chairman

A handwritten signature in black ink that reads "Wanda H. Hunt".

State Senator Wanda Hunt  
Vice Chairman

North Carolina Farmworker Council



# North Carolina Farmworker Council

Bob Everett, Palmyra  
Chairman

## Governor's Appointees

Sondra Ipock Riggs, Pollocksville  
Ralph M. Smith, Black Creek  
Windell Talley, Stanfield

## Lieutenant Governor's Appointees

State Senator Wanda H. Hunt, Pinehurst  
James R. Horton, Williamston

## Speaker of the House of Representatives' Appointees

State Representative Charles M. Beall, Clyde  
State Representative Jeff H. Enloe Jr., Franklin

## Ex Officio Members

John Brooks, Commissioner, N.C. Department of Labor  
Ruby Hooper, Deputy Secretary, N.C. Department of Human Resources  
Betsy Y. Justus, Chairman, Employment Security Commission  
William G. Parham, Deputy Commissioner, N.C. Department of Agriculture

## Council Staff

Marilyn E. Foote-Hudson, N.C. Department of Administration  
Sue A. Farley, N.C. Department of Administration





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# Council Background

The North Carolina Farmworker Council was created by the North Carolina General Assembly in 1983. The Legislature established the council in response to a recommendation by the Legislative Research Commission's Committee on Migrant Workers. The council's purposes are to study and evaluate the existing system of services to farmworkers and make recommendations to the governor and the General Assembly. The council consists of 12 members, eight of whom are appointed by the governor, lieutenant governor and the speaker of the House of Representatives. Other members serve ex officio representing the North Carolina departments of Labor, Agriculture and Human Resources, and the Employment Security Commission.

The council's statutory duties and responsibilities are outlined in G.S. 143B-426.26. They are as follows:

- Study and evaluate the existing systems of delivery of services to farmworkers.
- Seek effective methods for the improvement of living, working and related problems affecting migrants.
- Recommend a mechanism for coordinating all farmworkers' activities in the state.
- Identify and make recommendations to alleviate gaps and duplications in program services.
- Propose and review legislation relating to farmworkers.

In the performance of its duties, the council holds regular meetings. These meetings are devoted to reviewing information on the status of migrant farmworkers in North Carolina. The council held regular meetings in 1988 on January 13, May 24 and September 7. The council addressed the following issues:

- migrant housing/camp inspections,
- migrant health,
- education and
- implementation of the Immigration Reform and Control Act of 1986 (Public Law 99-603).

Meetings were devoted to studying these issues and to forming recommendations to remedy problems. This report includes background, findings and recommendations addressing the needs of migrant farmworkers.



# **Findings and Recommendations**

## **Summary of Farmworker Council Recommendations**

### **Recommendation 1 Migrant Health Care**

The North Carolina Farmworker Council recommends that the North Carolina General Assembly appropriate an additional \$100,000 for FY 1989-90 and \$100,000 for FY 1990-91 to the Department of Human Resources to enable the Migrant Health Program to extend the reimbursement period for the fee-for-service component of the program and raise the reimbursement level to health care providers serving migrant farmworkers.

### **Recommendation 2 Migrant Education**

The North Carolina Farmworker Council recommends that the North Carolina General Assembly appropriate \$500,000 for FY 1989-90 and \$500,000 for FY 1990-91 to the Department of Public Instruction to provide direct and supportive educational services to migrant children. These state dollars will supplement federal funds and clearly demonstrate the state's commitment to quality education for all citizens.

## Migrant Health Care

**Council Recommendation:** *The North Carolina Farmworker Council recommends that the North Carolina General Assembly appropriate an additional \$100,000 for FY 1989-90 and \$100,000 for FY 1990-91 to the Department of Human Resources, Division of Health Services, to enable the Migrant Health Program to extend the reimbursement period for the fee-for-service component of the program and raise the reimbursement level to health care providers serving migrant farmworkers.*

Minimal funds force state and local migrant health programs to focus their limited resources on the most immediate need -- primary health care services. Typically, these programs lack sufficient funds to reimburse providers for health and medical care services provided migrant farmworkers through the migrant season.

The N.C. Farmworker Council advocates for additional funds to enable more migrant and seasonal farmworkers to participate in the existing state migrant health programs, to extend the fee-for-service reimbursement component through the end of the migrant season and to improve the reimbursement level to health care providers. The figures in the table at the bottom of this page reflect the continuing need for a health program for migrants.

Based on the data compiled during the 1985 calendar year for the Migrant Health Program, the average cost per clinic visit to a local health department was approximately \$25. From July 1 to November 30, 1986, the Migrant Health Program reimbursed less than 39 percent of the charges that were billed by health care providers. As of January 27, 1989, participating providers had submitted bills totaling \$1,404,949. The program paid \$524,535, a difference of \$880,414. Inpatient hospital admissions, the area of greatest need, represented 67 percent of these unreimbursed services. Some services are reimbursed at the Medicaid rate. Hospital charges are reimbursed at less than the Medicaid rate. All losses must be absorbed by health care providers, taxpayers or other health care users.

In its annual report to the governor and the General Assembly in 1985, the Farmworker Council recommended an appropriation increase from \$250,000

North Carolina Migrant Health Program				
	1984-85	1985-86	1986-87	1987-88
<b>Medical Users</b>	4,780	6,459	6,096	8,695
<b>Dental Users</b>	501	490	831	860
<b>Medical Encounters</b>	5,039	6,490	21,808	23,160
<b>Dental Encounters</b>	537	502	1,641	1,478



to \$494,190 in FY 1985-86 and to \$600,500 in FY 1986-87. The 1985 General Assembly increased the program's appropriation by \$200,000 each year of the biennium.

During the short session, the council hoped to secure the remainder of the appropriation it sought during the 1985 Session of the General Assembly as well as an increase in the overall appropriation for the program. The council requested a \$200,000 increase in the appropriation for the Migrant Health Program. The additional funds were needed to increase the level of reimbursement to hospitals and other health care providers who render health services to migrants and to provide health services to migrants throughout the peak harvesting season -- June to November. The council was unable to secure the \$200,000 requested.

During the 1987 Session of the General Assembly, Senator Wanda Hunt, at the council's request, introduced legislation to appropriate \$200,000 to the N.C. Department of Human Resources. These funds would have enabled the department to provide essential inpatient hospital care and related services to migrant farmworkers and their families. The General Assembly did not approve the bill.

On January 13, 1988, the council chair met with Human Resources Secretary David Flaherty. He advised Secretary Flaherty of the council's concern that the Migrant Health Program consistently terminated the fee-for-service reimbursement component due to the exhaustion of funds before the end of the harvesting season. He asked that the Department of Human Resources request an additional appropriation to aid North Carolina's migrant population. Secretary Flaherty agreed to consider the council's request.

On September 12, 1988, the council chair wrote to Governor Martin. He stressed the need for additional health and medical services for migrant farmworkers and their families. On behalf of the council, he requested that an additional appropriation for each fiscal year be included in the Department of Human Resources' budget for Migrant Health Services.

Letters were also sent to the chairs of the House and Senate Human Resources Committees.

The council held its September 7, 1988, meeting at the Nash County Health Department. Council members and guests viewed a film on migrant health and toured the Nash County Migrant Health Center.

North Carolina is one of a very few states which has committed state resources to a migrant health program having no financial or residency requirements which often limits access to health care. The Farmworker Council is committed to expanding this program and, therefore, calls upon the governor and the General Assembly to support an increase in the health care funds for migrants.

## Migrant Education

*Council Recommendation: The North Carolina Farmworker Council recommends that the North Carolina General Assembly appropriate \$500,000 for FY 1989-90 and \$500,000 for FY 1990-91 to the Department of Public Instruction to provide direct and supportive educational services to migrant children. These state dollars will supplement federal funds and clearly demonstrate the state's commitment to quality education for all citizens.*

Farmworkers are among the most educationally disadvantaged groups in our society. Migrant workers live and work periodically in all 50 states, and their children face a myriad of academic, health and social problems due to the mobile nature of their lives. Each year thousands of children pass through North Carolina with their parents. These children need special assistance. The frequent interruptions in their schooling must be compensated for if they are to achieve and have any degree of continuity in education.

Staff of the Migrant Education Program addressed the council on August 28, 1986, November 12, 1986, and December 12, 1986. They advised the council that because of reductions in federal funds and the consequent reduction in recruitment efforts, the Migrant Education Program would not reach an estimated 2,000 children.

After considerable deliberation and debate, council members determined that their efforts should be directed toward offsetting the loss of federal money for the program by securing state funds for migrant education. The council agreed to seek the support of the governor, the General Assembly and the endorsement of the Department of Public Instruction. The council received a letter of support from the state superintendent, Dr. A. Craig Phillips.

In April 1987, at the request of the council, Senator Wanda Hunt introduced legislation appropriating \$500,000 for FY 1987-88 and \$500,000 for FY 1988-89 to the Department of Public Instruction to provide direct and supportive educational services to migrant children. The N.C. General Assembly did not pass the appropriation bill. The council continued to pursue state funds for migrant education during the short session but was unable to secure these funds.

The council remains committed to the provision of direct and supportive educational services to migrant children.



## Issues Addressed by the Council

In 1988, the council also devoted time to issues that were either presented as a result of public concern and input or emerged during the normal course of fulfilling those duties as prescribed by the General Assembly. Some of those issues are summarized in this section of the report.

### Regional Workshops on Laws and Regulations

The North Carolina Farmworker Council and the Agricultural Extension Service entered into a contractual agreement in December 1986. At the council's request, the Agricultural Extension Service coordinated the planning and implementation of five workshops in the major vegetable, fruit and tobacco producing areas. The objective of the workshops was to help farmers and local government officials understand laws and regulations pertaining to the employment of migrant and seasonal farmworkers. The workshops were conducted in February and March of 1987.

In February and March of 1988 the council, again with the cooperation of the Agricultural Extension Service, repeated the winter regional workshops. Emphasis was placed on the Immigration Reform and Control Act of 1986 and migrant worker housing regulation. Dates, locations and facilities for the workshops are listed below:

<b>Date</b>	<b>Location</b>	<b>Facility</b>
2/17/88	Nashville	Nash County Agricultural Center
2/18/88	Clinton	Clinton Civic Center
3/17/88	Henderson	Henderson County Agricultural Extension Building
3/18/88	Yadkinville	Yadkin County Courthouse

Approximately 350 people attended the four workshops. A videotape featuring a discussion of the Immigration Reform and Control Act was prepared and made available to local Agricultural Extension agents for use in local workshops.

## Migrant Housing Inspections

Four state and federal agencies are involved in the inspection of migrant housing. The Farmworker Council has studied this issue more extensively than any other farmworker issue. In 1984, the Farmworker Council aggressively studied migrant housing. At that time, the council concluded that all camp inspections should be consolidated within the N.C. Department of Human Resources, Division of Health Services. Pre-occupancy inspections, licensing and occupancy surveillance of all migrant camps would have become the responsibility of the Division of Health Services. The council also determined that North Carolina's current migrant laws should be revised to apply to all migrant housing with one or more migrants. The 1985 Session of the General Assembly declined to consolidate camp inspections under the Department of Human Resources.

Therefore, the council requested that the Department of Labor develop a proposal for a migrant labor camp registration and inspection system. Commissioner John Brooks presented the department's proposal to the council on February 4, 1987. The council accepted the objectives as working objectives and requested that the attorney general's staff draft legislation establishing a consolidated migrant labor camp registration and inspection system within the North Carolina Department of Labor. Staff from the Office of the Attorney General met with the council on March 30, 1987. They presented issues surrounding the council's proposal to consolidate all migrant housing inspections. Following extensive review and discussion of the proposal, legislation was prepared for council review. The council reviewed the legislation extensively. On April 13, 1987, the council voted to recommend the bill to the Legislature. At the council's request, Senator Wanda Hunt introduced the council's bill in the North Carolina General Assembly. The bill was not passed by the General Assembly during the regular session; however, it was assigned to the Senate Judiciary II Committee which reported favorably. The bill was then assigned to an appropriations subcommittee. Senator William Barker attended the council meeting on November 4, 1987, and commented on the consolidation bill. Senator Barker advised the council that the subcommittee which he chaired was scheduled to report in June 1988. The General Assembly did not address the issue of migrant housing in 1988. During the 1988 short session, the General Assembly authorized the Legislative Research Commission to appoint a commission to study consolidation and report to the 1989 Session.

After considerable discussion at the September 7, 1988, meeting, the council decided that it had moved the consolidation issue as far as possible at this time. The council agreed to monitor future legislation in this area.

The Legislative Research Commission study authorized by the General Assembly was not accomplished. In January 1989 representatives of several commodity groups -- the Farm Bureau, the Department of Agriculture, the Department of Labor, and Legal Services -- participated in a meeting called and chaired by former Senator Robert Warren. Participants discussed the issues around consolidation and may present a compromise proposal to the General Assembly. The group is scheduled to meet in February 1989.

## Migrant Housing Proposal

William Garrison addressed the council on January 13, 1988. Mr. Garrison is a farmer and a member of the National Advisory Council on Migrant Health. He asked the council to evaluate a proposal by the North Carolina Primary Health Care Association to obtain funds through the Farmers Home Administration to provide housing for migrant workers.

On May 24, 1988, at the council's request, Steven Shore, executive director of the North Carolina Primary Health Care Association, addressed the need for migrant housing in North Carolina. Mr. Shore advised the council of his organization's application to the Public Health Service for a staff position to address housing and other environmental concerns.

Following Mr. Shore's presentation, Rebecca Johnson of the Farmers Home Administration in Washington, D.C., briefed the council on the eligibility criteria and the application process for obtaining FmHA funds for migrant housing.

## Migrant Day Care

The Nash County Health Department hosted the council's September 7, 1988, meeting. At the conclusion of the council's business session, council members, staff and guests toured the Nash County Pre-School Day Care Center and the Saint James Child Care Center. These tours provided insight into the health and educational needs of migrant families.





